

ANDREW L. PACKARD (State Bar No. 168690)
WILLIAM N. CARLON (State Bar No. 305739)
LAW OFFICES OF ANDREW L. PACKARD
245 Kentucky Street, Suite B3
Petaluma, CA 94952
Tel: (707) 782-4060
Fax: (707) 782-4062
andrew@packardlawoffices.com
wncarlon@packardlawoffices.com

WILLIAM VERICK (State Bar No. 140972)
KLAMATH ENVIRONMENTAL LAW CENTER
1125 16th Street, Suite 204
Arcata, CA 95521
Tel: (707) 630-5061
Fax: (707) 630-5064
Email: wverick@igc.org

J. KIRK BOYD (State Bar No. 122759)
LAW OFFICE OF JOHN KIRK BOYD
548 Market St., Suite 1300
San Francisco, CA 94104-5401
Tel: (415) 440-2500
jkb@drjkb.com

Attorneys for Plaintiff
CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE,

Plaintiff,

v.

PACIFIC BELL TELEPHONE COMPANY,

Defendant.

CASE NO. 2:21-cv-00073-MCE-JDP

**DECLARATION OF JOHN KIRK
BOYD IN SUPPORT OF PLAINTIFF'S
SUPPLEMENTAL STATUS REPORT**

Zoom Conference

Hon. Jeremy D. Peterson

July 19, 2023, 2:00 p.m.

1. I am one of the attorneys representing the Plaintiff in the above captioned case.

1
2 2. I make this Declaration in Support of Plaintiff's Supplemental Status Report, submitted on
3 July 19, 2023. Unless otherwise indicated, I have personal knowledge of the matters set forth
4 below and, if called as a witness, I could and would testify competently thereto.

5 3. On the morning of July 10, 2023, prior to a zoom call with Defendant's counsel later that
6 day, I sent an email to Defendant's counsel with pictures of the Tahoe Keys Marina attached,
7 which I personally took on July 5, 2023.

8 4. During the zoom meet and confer on July 10, I brought up the Tahoe Keyes photos and a
9 discussion followed about how the work was scheduled to commence on September 6, 2023,
10 provided that State Parks had issued an updated permit.
11

12 5. At no time was there any discussion that the parties were at an "impasse" as to the removal
13 date.

14 6. To the contrary, what was discussed, in accordance with the Court's previous questions
15 about mobilization prior to the commencement date, was what mobilization plan was in place so
16 that the removal operations would commence on September 6.

17 7. Assurances were given by Defendant that, provided State Parks issued a new permit,
18 mobilization plans were in place so that removal activities would commence on September 6,
19 2023.
20

21 8. It was my understanding from these discussions at the meet and confer that the previous
22 representations made in the earlier hearing were specifically confirmed during the meet and
23 confer on July 10, and there was an agreement as to the removal date, September 6, 2023.

24 I declare under penalty of perjury that the foregoing is true and correct and that this
25 Declaration was executed on July 19, 2023, in Lake Tahoe, California.
26

27 By: /s/ John Kirk Boyd
28 JOHN KIRK BOYD